



U.S. Department of Justice

Carlie Christensen

**Acting United States Attorney
District of Utah**

**FOR IMMEDIATE RELEASE
May 18, 2010**

**CONTACT: MELODIE RYDALCH
801-325-3206
801-243-6475 (CELL)**

PRESS RELEASE

***DEFENDANTS PLEAD GUILTY TO CONSPIRACY
TO DISTRIBUTE PHENTERMINE, MONEY
LAUNDERING IN INTERNET PHARAMCY CASE***

***BRINTON AND SIFUENTES ADMIT SELLING ABOUT 8
MILLION PHENTERMINE PILLS TO CUSTOMERS
WITHOUT VALID PRESCRIPTIONS***

SALT LAKE CITY – James A. Brinton, age 63, of Provo and Noah Sifuentes, age 58, of Orem pleaded guilty to one count of conspiracy to distribute phentermine and one count of conspiracy to commit international money laundering in U.S. District Court Tuesday afternoon. Brinton and Sifuentes were charged as a part of an internet pharmacy case involving the distribution of drugs smuggled into the country from Mexico.

Brinton and Sifuentes admitted that between October 1, 2003, and July 18, 2007, they conspired with others charged in the case to distribute a controlled substance, specifically phentermine. During the course of the conspiracy, Brinton and his co-defendants imported phentermine into the United States from Mexico. And, without authority from the Drug Enforcement Administration, they sold approximately 8 million phentermine

pills over the internet to customers who did not have a valid prescription for the drug.

They admitted they received the phentermine from a supplier in Mexico called Investigacion Farmaceutic (IFA), paying \$1.9 million for the product. According to the plea agreement, the co-conspirators sent \$1.3 million of that money through the personal bank account of Edgar Flores-Cuevas, a defendant in the case. Using his personal account to receive the money helped disguise the true nature and source of the money. They also admitted that proceeds from the sale of phentermine were used to pay expenses such as advertising and shipping costs.

Brinton agreed to forfeit property located at 3929 Riverwood Drive in Provo as a part of the plea agreement.

As a part of the plea agreement, Brinton and federal prosecutors agreed to recommend that the court impose a sentence of 36 months in federal prison for Brinton to be followed by 36 months of supervised release. Sentencing is set for July 1, 2010, at 2:30 p.m. in U.S. District Judge Dale Kimball's courtroom.

Sifuentes' plea agreement includes a recommendation for a 21-month sentence. Sentencing in his case is set for Aug. 4, 2010, at 2:30 p.m.

Brinton and Sifuentes were among 18 individuals indicted in October 2008 for violations of federal law relating to the distribution of drugs through internet pharmacy businesses based in Utah and elsewhere. The indictment alleges drugs, which included Ritalin, Xanax, Valium, and Phentermine, were dispensed to individuals without a prescription or medical evaluation. Additionally, some of the defendants in the case were charged with selling controlled substances to customers which they represented to be full strength prescriptions of a drug when, in fact, the defendants knew the drugs were sub-potent versions of the drugs. The internet businesses were not licensed pharmacies and there is no evidence that licensed pharmacists were ever employed.

The case is being investigated by the DEA, the FBI, the IRS, the U.S. Secret Service, and the Utah Division of Occupational and Professional Licensing.

In addition to Brinton and Sifuentes, six other defendants have entered into plea agreements with the U.S. Attorney's Office. They are Rex E. Southwick of Orange, Calif.; Edgar U. Flores-Cuevas, a Mexican national; Laura B. Harding of Lehi; Gregory J. Crosby of Provo; Christina K. Haramija of Lehi; and Kimberly D. Lobdell of South Jordan. Flores-Cuevas has been sentenced.

Change of plea hearings have been scheduled for Thomas Myers of Sandy (May 26 at 2:30 p.m.) and Charles J. Stuart III of Mapleton (May 27 at 2:30 p.m.).

Arrest warrants for three defendants, Enrique Hipolito-Ruiz, Victor Francsico Hipolito-Martinez, and Jorge Hipolito-Martinez, all Mexican nationals, remain in place.

A 15-day jury trial for Kenneth E. Forrest, Timothy Shields, Treila Shumway, Martha Forrest, and Deborah McCoard will start Aug. 30, 2010, before Judge Kimball.

Indictments are not findings of guilt. Individuals charged in indictments are presumed innocent unless or until proven guilty in court.

###